

REMARKS

Applicant wishes to thank the Examiner for the detailed remarks and the translation of *Schiffler*. Claims 8, 11, and 22 are allowable and claims 15 and 16 stand allowed. Please note that claims 15 and 16 are in independent form. Claims 1, 3-6, 10-12, 14-16, and 21-23 have been amended. Claims 2, 13, 18, and 20 were cancelled. New claims 25-31 are presented. Accordingly, claims 1-12, 14-17 and 19-31 are pending.

Notably, the two allowed independent claims 15 and 16 have been amended. Claim 16 has been amended largely for formalities. The amendments do not change the substance of the claim. However, claim 15 has been amended in substance. The limitation that the third band is associated with the second band has been removed from independent claim 15 and added into new claim 31, which is dependent back to claim 15. However, claim 15 has been amended to define around the prior art, as will be discussed below.

Claims 1-5, 9, 12, 14, 17-18 and 21 were rejected under 35 USC §102(b) as being anticipated by *Schiffler* (DE 10009212). The amended claims all require the piston airbag to have an independently changing pressure or variable volume between the piston airbag and primary airbag which are pneumatically isolated from each other. *Schiffler* cannot meet these claim limitations.

With regard to claim 1, the claim requires that the two chambers associated with the piston airbag and the primary airbag are pneumatically isolated from each other. The *Schiffler* piston 9 defines an internal chamber 25 which clearly communicates with the chamber 11. As such, the structure cannot meet independent claim 1. The method claim 12 is allowable for the same reason. Independent claim 15 requires that the piston airbag is secured to the piston at two spaced ends by first and second bands, and to define a sealed chamber therebetween. Again, *Schiffler* does not disclose two bands which secure the element 9 to the internal piston, and does not define a sealed chamber between any two ends of the element 9.

Schiffler provides no disclosure or suggestion that the roll-off piston 9 has a changing or variable volume. Roll-off piston 9 is but a support structure for the rolling lobe. Notably, the Figure 1 embodiment without question cannot be an airbag and cannot change volume as the roll-off piston 9 is an open cylinder. With regard to the Figure 3 embodiment, *Schiffler* recites:

The embodiment of Fig. 3 differs from that of Fig. 1 essentially in that the roll-off piston 9 forms a partial chamber 25 for the spring chamber, which in this case consists of the spring chamber 11 delimited by the bellows 7, the partial chamber 25, the volume of the channel 15, and the additional volume 13. ***In the partial chamber 25 are provided ribs, which are supported by the receptacle and whose gas-tight connection to the retaining ring 27 is provided at the lower end of the roll-off piston 9.*** The other reference numerals shown in Fig. 3 correspond with regard to the components and their arrangement to those shown in Fig. 1.

[Examiner provided translation, p. 7, emphasis added.]

The fact that *Schiffler* discloses that the partial chamber 25 is provided with ribs further supports Applicant's contention that the roll-off piston 9 does not and cannot have a changing or variable volume. ***In other words, the roll-off piston is not an airbag.*** Again, it should be noted that *Schiffler* specifically distinguishes between the bellows 7 which can vary in volume and the roll-off piston 9 which cannot. That is, *Schiffler's* usage of different terms for these components would suggest that these components have different characteristics. The claims are properly allowable.

Further, the dependent claims, and in particular dependent claim 3, 4, 5, 14, 28, 29, and 30 all recite that the chamber defined by the piston airbag is changed to in turn change some aspect of the primary airbag. It does not appear that the *Schiffler* chamber associated with element 9 can change, and certainly there is nothing within this reference that would suggest if it did change it would change the airbag 7.

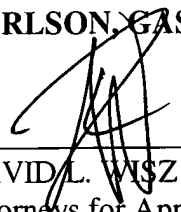
Similarly, claims 25-27 all require that air is directed independently into the primary airbag and the piston airbag. Again, it would appear that for air to flow into the chamber 11 of *Schiffler* it passes through the chamber 25. For these additional reasons, these claims are allowable.

A check in the amount of \$940 is enclosed for the \$790 request for continued examination fee and \$150 for 3 additional claims in excess of 20. If any additional fees or extensions of time are required, please charge to Deposit Account No. 50-1482.

Applicant respectfully submits that this case is in condition for allowance. If the Examiner believes that a teleconference will facilitate moving this case forward to being issued, Applicant's representative can be contacted at the number indicated below.

Respectfully Submitted,

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